

**BEFORE THE
BOARD OF PODIATRIC MEDICINE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation and Petition to)
Revoke Probation Against:)**

LEONDRAS G. JACKSON, D.P.M.)

Case No: D1-2002-129471

Podiatrist Certificate No. E-2555)

Respondent.)

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby accepted and adopted by the Board of Podiatric Medicine of the Department of Consumer Affairs, State of California as its Decision in the above-entitled matter.

This Decision shall become effective at 5:00 p.m. on November 25, 2005.

DATED November 18, 2005.

BOARD OF PODIATRIC MEDICINE



Raymond Cheng, President

1 BILL LOCKYER, Attorney General
of the State of California
2 SANFORD FELDMAN, State Bar No. 47775
Senior Legal Analyst
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7 Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF PODIATRIC MEDICINE
DEPARTMENT OF CONSUMER AFFAIRS
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation and Petition to
Revoke Probation Against:

12 LEONDRAS G. JACKSON, D.P.M.
13 715 W. Foothill Blvd
Glendora, CA 91741-2473

14 16366 East Peak Ct.
15 Riverside, CA 92503

16 Podiatrist License Nos. E-2555 and EFE 2555

17 Respondent.

Case No. D1-2002-129471

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
20 proceeding that the following matters are true:

21 PARTIES

22 1. James Rathlesberger (Complainant) is the Executive Officer of the Board
23 of Podiatric Medicine. He brought this action solely in his official capacity and is represented in
24 this matter by Bill Lockyer, Attorney General of the State of California, by Sanford Feldman,
25 Deputy Attorney General.

26 2. LEONDRAS G. JACKSON, D.P.M. (Respondent) is representing himself
27 in this proceeding and has chosen not to exercise his right to be represented by counsel.

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3. On or about October 25, 1979, the Board of Podiatric Medicine issued Podiatrist License No. E-2555 to LEONDRAS JACKSON, D.P.M. (Respondent). The License was in full force and effect at all times relevant to the charges brought in Accusation and Petition to Revoke Probation No. D1-2002-129471 and expired on August 31, 2005. On or about September 1, 2005, respondent placed his license in retired status and was issued Podiatrist License No. EFE-2555, which will expire on August 31, 2007, unless renewed.

JURISDICTION

4. Accusation and Petition to Revoke Probation No. D1-2002-129471 was filed before the Board of Podiatric Medicine (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and Petition to Revoke Probation and all other statutorily required documents were properly served on Respondent. A copy of Accusation and Petition to Revoke Probation No.D1-2002-129471 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation and Petition to Revoke Probation No. D1-2002-129471. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation and Petition to Revoke Probation; the right to be represented by counsel, at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in
3 Accusation and Petition to Revoke Probation No. D1-2002-129471, agrees that cause exists for
4 discipline and hereby surrenders his Podiatrist License Nos. E-2555 and EFE 2555 for the
5 Board's formal acceptance.

6 9. Respondent understands that by signing this stipulation he enables the
7 Board to issue an order accepting the surrender of his Podiatrist License without further process.

8 CONTINGENCY

9 10. This stipulation shall be subject to approval by the Board. Respondent
10 understands and agrees that counsel for Complainant and the staff of the Board may
11 communicate directly with the Board regarding this stipulation and surrender, without notice to
12 or participation by Respondent. By signing the stipulation, Respondent understands and agrees
13 that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the
14 Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and
15 Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, and, except
16 for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board
17 shall not be disqualified from further action by having considered this matter.

18 11. The parties understand and agree that facsimile copies of this Stipulated
19 Surrender of License and Order, including facsimile signatures thereto, shall have the same force
20 and effect as the originals.

21 12. In consideration of the foregoing admissions and stipulations, the parties
22 agree that the Board may, without further notice or formal proceeding, issue and enter the
23 following Order:

24 ORDER

25 IT IS HEREBY ORDERED that Podiatrist License Nos. E-2555 and EFE 2555,
26 issued to Respondent LEONDRAS JACKSON, D.P.M., are surrendered and accepted by the
27 Board of Podiatric Medicine.

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1 13. The surrender of Respondent's Podiatrist Licenses and the acceptance of
2 the surrendered licenses by the Board shall constitute the imposition of discipline against
3 Respondent. This stipulation constitutes a record of the discipline and shall become a part of
4 Respondent's license history with the Board.

5 14. Respondent shall lose all rights and privileges as podiatrist in California as
6 of the effective date of the Board's Decision and Order.

7 15. Respondent shall cause to be delivered to the Board both his License wall
8 and pocket license certificates on or before the effective date of the Decision and Order.

9 16. Respondent fully understands and agrees that, in consideration of the
10 Board accepting the surrender of his license and not pursuing revocation based on the violations
11 alleged in Accusation and Petition to Revoke Probation No. D1-2002-129471, he will never seek
12 reinstatement of his podiatry license or issuance of any health care provider license in State of
13 California. If, for any reason, this prohibition on seeking reinstatement and other licensure is
14 found to be invalid or unenforceable, it shall be treated as severable and replaced by paragraph 17
15 below.

16 17. In the event paragraph 16 above is found to be invalid or unenforceable,
17 respondent fully understands and agrees that if he ever files an application for licensure or a
18 petition for reinstatement in the State of California, the Board shall treat it as a petition for
19 reinstatement. Respondent must comply with all the laws, regulations and procedures for
20 reinstatement of a revoked license in effect at the time the petition is filed.

21 18. Should Respondent ever apply or reapply for a license or certification from
22 any other health care licensing agency in the State of California, all of the charges and allegations
23 contained in Accusation and Petition to Revoke Probation, No. D1-2002-129471 shall be deemed
24 to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any
25 other proceeding seeking to deny or restrict licensure.

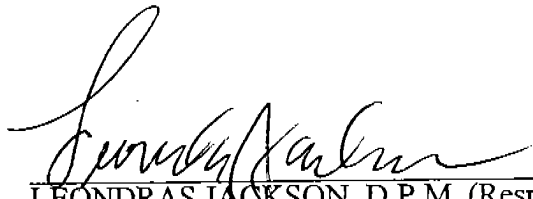
26 19. Respondent shall pay the Board \$8,394.00, the unpaid costs of
27 investigation and enforcement from Podiatric Board Case No. 1B-2002-129471, and \$966.00, the
28 costs of enforcement from the instant action; however, the Board will not seek cost recovery of

1 this amount so long as respondent does not apply for relicensure or reinstatement as a podiatrist
2 or licensure or relicensure as any other health care provider in California. Immediately upon any
3 such application, the entire cost recovery of \$9,360.00 shall become due and payable.

4 ACCEPTANCE

5 I have carefully read the Stipulated Surrender of License and Order. I understand
6 the stipulation and the effect it will have on my Podiatrist License. I enter into this Stipulated
7 Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound
8 by the Decision and Order of the Board of Podiatric Medicine.

9 DATED: 9/20/05.


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11 
12 LEONDRAS JACKSON, D.P.M. (Respondent)
13 Respondent

14 ENDORSEMENT

15 The foregoing Stipulated Surrender of License and Order is hereby respectfully
16 submitted for consideration by the Board of Podiatric Medicine of the Department of Consumer
17 Affairs.

18 DATED: 9/30/05.

19 BILL LOCKYER, Attorney General
20 of the State of California

21 
22 SANFORD FELDMAN
23 Deputy Attorney General

24 Attorneys for Complainant

Exhibit A

Accusation/Petition to Revoke Probation No. D1-2002-129471

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO September 13 2005
BY Artem Kravtsov ANALYST

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Attorneys for Complainant

BEFORE THE
BOARD OF PODIATRIC MEDICINE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation and Petition to
Revoke Probation Against:

LEONDRAS G. JACKSON, D.P.M.
715 W. Foothill Blvd
Glendora, CA 91741-2473

16366 East Peak Ct.
Riverside, CA 92503

Podiatrist License Nos. E-2555 and EFE 2555

Respondent.

Case No. D1-2002-129471

OAH No.

ACCUSATION AND
PETITION TO REVOKE
PROBATION

Complainant alleges:

PARTIES

1. James Rathlesberger (Complainant) brings this Accusation and Petition to Revoke Probation solely in his official capacity as the Executive Officer of the Board of Podiatric Medicine, Department of Consumer Affairs.

2. On or about October 25, 1979, the Board of Podiatric Medicine issued Podiatrist License No. E-2555 to LEONDRAS G. JACKSON, D.P.M. (Respondent). The Podiatrist License was in full force and effect at all times relevant to the charges brought herein and expired on August 31, 2005. On or about September 1, 2005, respondent placed his

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1 podiatrist's license in retired status and was issued Podiatrist License No. EFE-2555, which will
2 expire on August 31, 2007, unless renewed.

3 JURISDICTION

4 3. This Accusation and Petition to Revoke Probation is brought before the
5 Board of Podiatric Medicine (Board), Department of Consumer Affairs, under the authority of
6 the following laws and the Decision and Order "In the Matter of the Accusation Against
7 LEONDRAS JACKSON, D.P.M.," Board of Podiatric Medicine Case No. 1B-2002-129471, a
8 copy of which is attached hereto as Exhibit A. All section references are to the Business and
9 Professions Code unless otherwise indicated.

10 4. Section 118 of the Code, in pertinent part, states:

11 "(b) The suspension, expiration, or forfeiture by operation of law of a license
12 issued by a board in the department, or its suspension, forfeiture, or cancellation by order
13 of the board or by order of a court of law, or its surrender without the written consent of
14 the board, shall not, during any period in which it may be renewed, restored, reissued, or
15 reinstated, deprive the board of its authority to institute or continue a disciplinary
16 proceeding against the licensee upon any ground provided by law or to enter an order
17 suspending or revoking the license or otherwise taking disciplinary action against the
18 licensee on any such ground."

19 5. Section 2222 of the Code states the California Board of Podiatric
20 Medicine shall enforce and administer this article as to doctors of podiatric medicine. Any acts
21 of unprofessional conduct or other violations proscribed by this chapter are applicable to licensed
22 doctors of podiatric medicine and wherever the Medical Quality Hearing Panel established under
23 Section 11371 of the Government Code is vested with the authority to enforce and carry out this
24 chapter as to licensed physicians and surgeons, the Medical Quality Hearing Panel also possesses
25 that same authority as to licensed doctors of podiatric medicine.

26 6. Section 2497 of the Code states:

27 "(a) The board may order the denial of an application for, or the suspension of, or
28 the revocation of, or the imposition of probationary conditions upon, a certificate to

1 practice podiatric medicine for any of the causes set forth in Article 12 (commencing with
2 Section 2220) in accordance with Section 2222.

3 "(b) The board may hear all matters, including but not limited to, any contested
4 case or may assign any such matters to an administrative law judge. The proceedings
5 shall be held in accordance with Section 2230. If a contested case is heard by the board
6 itself, the administrative law judge who presided at the hearing shall be present during the
7 board's consideration of the case and shall assist and advise the board."

8 7. Section 2234 of the Code states:

9 "The Division of Medical Quality shall take action against any licensee who is
10 charged with unprofessional conduct. In addition to other provisions of this article,
11 unprofessional conduct includes, but is not limited to, the following:

12 "(a) Violating or attempting to violate, directly or indirectly, or assisting in or
13 abetting the violation of, or conspiring to violate, any provision of this chapter [Chapter
14 5, the Medical Practice Act].

15 "(b) Gross negligence.

16 "(c) Repeated negligent acts.

17 "(d) Incompetence.

18 "(e) The commission of any act involving dishonesty or corruption which is
19 substantially related to the qualifications, functions, or duties of a physician and surgeon.

20 "(f) Any action or conduct which would have warranted the denial of a certificate.

21 "(g). . . ."

22 8. Section 2261 of the Code states:

23 "Knowingly making or signing any certificate or other document directly or
24 indirectly related to the practice of medicine or podiatry which falsely represents the
25 existence or nonexistence of a state of facts, constitutes unprofessional conduct."

26 9. Section 2497.5 of the Code states:

27 (a) The board may request the administrative law judge, under his or her
28 proposed decision in resolution of a disciplinary proceeding before the board, to direct

1 any licensee found guilty of unprofessional conduct to pay to the board a sum not to
2 exceed the actual and reasonable costs of the investigation and prosecution of the case.

3 (b) The costs to be assessed shall be fixed by the administrative law judge and
4 shall not in any event be increased by the board. When the board does not adopt a
5 proposed decision and remands the case to an administrative law judge, the
6 administrative law judge shall not increase the amount of any costs assessed in the
7 proposed decision.

8 (c) When the payment directed in the board's order for payment of costs is not
9 made by the licensee, the board may enforce the order for payment by bringing an action
10 in any appropriate court. This right of enforcement shall be in addition to any other rights
11 the board may have as to any licensee directed to pay costs.

12 (d) In any judicial action for the recovery of costs, proof of the board's decision
13 shall be conclusive proof of the validity of the order of payment and the terms for
14 payment.

15 (e)(1) Except as provided in paragraph (2), the board shall not renew or reinstate
16 the license of any licensee who has failed to pay all of the costs ordered under this
17 section.

18 (2) Notwithstanding paragraph (1), the board may, in its discretion, conditionally
19 renew or reinstate for a maximum of one year the license of any licensee who
20 demonstrates financial hardship and who enters into a formal agreement with the board to
21 reimburse the board within one year period for those unpaid costs.

22 (f) All costs recovered under this section shall be deposited in the Podiatry Fund
23 as a reimbursement in either the fiscal year in which the costs are actually recovered or
24 the previous fiscal year, as the board may direct.

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1 FIRST CAUSE FOR DISCIPLINE

2 (Dishonesty and Corruption)

3 10. Respondent is subject to disciplinary action under Code sections 2497,
4 2234 and 2261 in that he engaged in acts of dishonesty and corruption and created a false
5 document related to the practice of podiatry. The circumstances are set forth below.

6 11. On or about February 4, 2005, respondent was placed on probation to the
7 Board "In the Matter of the Accusation Against LEONDRAS JACKSON, D.P.M.," Board of
8 Podiatric Medicine Case No. 1B-2002-129471. Term 4 of the Decision and Order provided that:

9 "NOTICE TO EMPLOYEES Respondent shall, commencing on the effective
10 date of this Decision, post or circulate to all persons employed in his practice, notice
11 specifying why Respondent has been discipline as well as setting forth the terms and
12 conditions of probation. Within fifteen (15) days of the effective date of the Decision,
13 Respondent shall ensure that his employees acknowledge in writing sent to the Board of
14 Podiatric Medicine that they have read [sic] Decision (inclusive of the Accusation
15 attached hereto as Exhibit "A") and understand that Respondent is subject to the terms
16 and conditions of probation herein articulated and that they are ready, willing and able to
17 cooperate with Respondent to ensure his compliance with all the terms and conditions of
18 probation."

19 12. On or about February 8, 2005, respondent met with his Board assigned
20 probation investigator and was advised on the terms and conditions of his probation including
21 Term 4 - Notice to Employees. When asked if he understood that he had to serve a copy of the
22 Decision on his employees and have them acknowledge receipt, he replied that he did.

23 13. On or about February 24, 2005, respondent met with his Board probation
24 investigator and informed the investigator that he had provided his practice employees with a
25 copy of the decision. In fact, respondent had not done so.

26 14. During the same meeting on February 24, 2005, respondent gave his
27 Board probation investigator three letters purportedly signed by three of the employees in his
28 podiatry practice. The letters represented that each of the signing employees had read the

1 probation decision, understood the charges and cause for discipline, understood that respondent
2 was subject to the terms and conditions of probation set forth in the decision and was willing to
3 cooperate with respondent to ensure his compliance with probation. In fact, none of the letters
4 had been signed by the stated employee, none of the stated employees had been provided with a
5 copy of the decision and each was unaware of the fact respondent was on probation.

6 SECOND CAUSE FOR DISCIPLINE

7 (General Unprofessional Conduct)

8 15. Respondent is subject to further disciplinary action under Code sections
9 2497 and 2234 in that he engaged in acts of general unprofessional conduct as set forth in
10 paragraph 9-13 above and paragraphs 15-18 below.

11 THIRD CAUSE FOR DISCIPLINE

12 (Violations of Probation)

13 16. Respondent is subject to revocation of his probation and imposition of the
14 stayed disciplinary of revocation ordered "In the Matter of the Accusation Against LEONDRAS
15 JACKSON, D.P.M.," Board of Podiatric Medicine Case No. 1B-2002-129471, based on his
16 violations of the terms and conditions of that probationary order. The circumstances are set forth
17 below.

18 17. Paragraphs 9 - 14 above are incorporated herein by reference as if fully set
19 forth.

20 18. On or about February 4, 2005, the Board issued the Decision and Order
21 "In the Matter of the Accusation Against LEONDRAS JACKSON, D.P.M.," Board of Podiatric
22 Medicine Case No. 1B-2002-129471. The Decision and Order provided that respondent's
23 license was revoked, with revocation stayed and five-years probation imposed. Terms and
24 conditions of probation included:

25 Term 1 - Within 60 days of the effective date of the decision, Respondent shall
26 submit an ethics course for approval and complete the course within the first year of
27 probation.

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1 Term 2 - Within 30 days of the effective date of the decision, respondent's
2 practice shall be monitored by a Board appoint podiatrist and respondent shall provide the
3 monitor with access to respondent's records.

4 Term 4 - On the effective date of the decision, respondent shall provide notice of
5 the decision to his employees. Within 15 days, respondent shall ensure that the
6 employees acknowledge receipt of the decision in writing. [See paragraph 10 above.]

7 Term 6 - Respondent shall obey all laws and rules of practice.

8 19. As of the date of the filing of this Accusation and Petition to Revoke
9 Probation, respondent has: failed to submit an ethics course for approval; failed to have his
10 practice monitored; failed to immediately post or circulate his probation order and failed to
11 provide written acknowledgment of receipt of the decision by his employees within 15 days; and,
12 engaged in acts of dishonesty and corruption and general unprofessional conduct in violation of
13 the rule of practice. Respondent's conduct as described above constitutes violations of Terms 1,
14 2, 4 and 6 of his probation.

15 DISCIPLINE CONSIDERATIONS

16 20. To determine the degree of discipline, if any, to be imposed on
17 Respondent, Complainant alleges that on or about February 4, 2005, in a prior disciplinary action
18 entitled "In the Matter of the Accusation Against LEONDRAS JACKSON, D.P.M.," Board of
19 Podiatric Medicine, in Case No. 1B-2002-129471, respondent's license was revoked with
20 revocation stayed and five-years probation imposed for aiding and abetting the unlicensed
21 practice of podiatry. That decision is now final and is incorporated by reference as if fully set
22 forth.

23 PRAYER

24 WHEREFORE, Complainant requests that a hearing be held on the matters herein
25 alleged, and that following the hearing, the Board issue a decision:

26 1. Revoking or suspending Podiatrist License Nos. E-2555 and EFE 2555,
27 issued to LEONDRAS G. JACKSON, D.P.M.;

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2. Imposing the stayed discipline of revocation order "In the Matter of the
Accusation Against LEONDRAS JACKSON, D.P.M.," Board of Podiatric Medicine Case No.
1B-2002-129471

3. Ordering LEONDRAS G. JACKSON, D.P.M. to pay the Board of
Podiatric Medicine the reasonable costs of the investigation and enforcement of this case,
pursuant to Business and Professions Code section 2497.5 and the amount of \$8,394 order, but
unpaid from "In the Matter of the Accusation Against LEONDRAS JACKSON, D.P.M." Board
Board of Podiatric Medicine Case No. 1B-2002-129471; and,

4. Taking such other and further action as deemed necessary and proper.

DATED: September 13, 2005


JAMES RATHLESBERGER
Executive Officer
Board of Podiatric Medicine
Department of Consumer Affairs
State of California
Complainant

SD2005700916